

REMARKS

[0001] Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein and further respectfully requests reconsideration and allowance of all of the claims of the application. Claims 6-11 and 36 are presently pending. Claim amended herein is 6. Claims withdrawn or cancelled herein are 1-5, and 12-35. New claim added herein is 36.

Formal Request for an Interview

[0002] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0003] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Formal Matters

[0004] This section addresses any formal matters (e.g., objections) raised by the Examiner.

Claims

[0005] The Examiner objects to claims 12-13 and 19-24 for including the terms "computer-readable storage media" and "storage media". Applicant respectfully traverses these objections. These claims have been canceled. The objections of these claims are rendered moot in light of the amendments. Applicant respectfully, requests that the Examiner withdraw the objections to the aforementioned claims.

[0006] New independent claim 36 has been written incorporating similar language. Specifically, claim 36 uses the term storage media. The term "storage media" as associated with a computer is clearly shown in the specification at page 8, lines 6-24. Specifically, "computer storage media" is used in reference to "other removeable/non-removeable, volatile/non-volatile storage devices as illustrated as hard disk drive 144 of Figure 1. Additionally, computer-readable media is described as nonvolatile storage of a computer, as exemplified as a hard disk, removable magnetic disk and a removable optical disk. The specification provides sufficient support and antecedent basis for the use of the terms objected to. Applicant respectfully, requests that the Examiner withdraw the objections to the aforementioned phrase of "computer media".

Substantive Matters

Claim Rejections under § 103(a)

[0007] Claims 6-13, 19-28, 30-32 and 34-35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,651,101 to Gai in view of U.S. patent 6,014,694 to Aharoni in view of U.S. Patent No. 6,329,986 to Cheng. In light of the amendments presented herein, Applicant asks the Examiner to withdraw these rejections.

[0008] Claims 12 through 35 have been canceled. The cancelation of these claims renders the rejection of these claims moot.

[0009] Independent claim 6 has been amended to recite additional clarifying amendments regarding the packetizing of the content information. The cited art clearly fails to teach each element of amended claim 6. Claim 6 is in proper form for immediate allowance.

[0010] Specifically, claim 6 has been amended to clarify that packets within the media stream have different priorities. The relied upon art teaches that the packetized content information is prioritized in accordance with different priorities within a single session. A stream and a session are distinct. A stream provides the transport, whereas a session involves a higher level protocol. A session might involve multiple streams, having different priorities. Claim 6 specifically claims having packets having different priority within a stream, which is distinguishable over the cited art.

[0011] Claim 6 has been amended to clarify that at least one packet of the media stream is selectively outputted based on a priority associated with the service class associated with the at least one packet such that the available bandwidth is allocated in accordance with the priority associated with the service class. These elements are not taught by the combined references. As such, independent claim 6 is now in proper form for allowance.

Dependent Claims

[0012] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

New Claim

[0013] Independent claim 36 is a new claim that introduces no new subject matter. Claim 36 is essential claiming the method of independent claim 6 as computer instructions for performing the method on one or more computer-readable storage media.

Conclusion

[0014] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is**

urged to contact me before issuing a subsequent Action. Please
call/email me or my assistant at your convenience.

Respectfully Submitted,

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